



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-1454-13

DUSTIN ANTHONY SIMMANG, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE THIRD COURT OF APPEALS
COMAL COUNTY**

PER CURIAM. Keasler and Hervey, JJ., dissent.

ORDER

The petition for discretionary review violates Texas Rule of Appellate Procedure 9.4(i)(3) because it does not contain a certificate of compliance. See also Texas Rule of Appellate Procedure 9.4(i)(2)(D).

The petition is struck. See Texas Rule of Appellate Procedure 68.6.

The petitioner may redraw the petition. The redrawn petition must be filed in the Court of Criminal Appeals within thirty days after the date of this order.

Filed: February 5, 2014
Do not publish